

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-13 and 16-20 are currently pending.

Claims 1-2, 4-5, 7-9, 11-13 and 16-20 are rejected under 35 U.S.C. § 103(a) as being anticipated by United States Patent No. 6,314,108 to Ramasubramani et al. in view of United States Patent Application Publication No. 2004/0044771 A1 to Allred et al. Applicants have reviewed the Office Action and the claims and traverses the rejection. Applicants have argued the differences between the claims and Ramasubramani and Allred and those arguments are incorporated here by reference and will not be repeated unless necessary. As previously stated, Applicants' claims are directed to a persistent connection between the proxy on the network and the server. The claims clearly state that the persistent connection is with the server and the proxy and not between the server and the client, which is a different connection within the network. In the Final Office Action, it is stated that Applicants earlier arguments regarding the differences between the cited references and the claims are not persuasive but offers no substantive comments regarding how these arguments are deficient. Applicants respectfully submit that the earlier arguments are valid.

Nonetheless, Applicants have amended the independent claims to further clarify the claimed invention and to obviate the rejection. The claims are now directed to keeping track of a number of requests sent over the persistent connection for requested objects from the server. This can be done by a load tracker. In addition, the claims are directed to also keeping track of an order of requested objects such that the proxy delivers the requested object to the user in such a way that when a first request is received by the proxy before a second request from the user and the second requested object is received by the proxy from the server before the first requested object is received from the server, the first requested object is delivered to the user before the second requested object. Accordingly, the claims are directed to a specific number of requests and a specific order of delivery. These specifics are not disclosed by either Ramasubramani or Allred.

In view of the foregoing, Applicants respectfully submit that the combination of Ramasubramani and Allred does not disclose, teach or otherwise suggest the claimed apparatus, system and method that focus on the persistent connections between the proxy and the one or more servers. Applicants therefore respectfully submit that independent claims 1, 8 and 13 are not patentable over Ramasubramani and Allred. As claims 2, 4-5 and 7 depend on claim 1, claims 9 and 11-12 depend on claim 8 and claims 16-20 depend on claim 13, Applicants submit that these claims are patentable over the cited combination for the same reasons. Applicants request that the rejection under Section 103(a) be withdrawn.

Claims 3, 6 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramasubramani in view of Allred and further in view of United States Patent No. 7,167,926 to Boucher et al. Claims 3 and 6 depend on claim 1 and claim 10 depends on claim 8. Applicants respectfully submit the dependent claims are patentable over the cited combination as neither Ramasubramani nor Boucher are directed to the persistent connections between the proxy and the servers on which objects are for the reasons given above with respect to the rejection under Section 102(b). Applicants request that the rejection under Section 103(a) be withdrawn.

As Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to
50-2117.

Respectfully submitted,
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Serial No.10/840,053
Bedekar et al
Case No. CE10624R

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